



City of Marietta Meeting Summary

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

CITY COUNCIL SPECIAL MEETING

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Grif Chalfant, Ward 2
Holly Marie Walquist, Ward 3
Van Pearlberg, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Wednesday, February 25, 2009

5:15 PM

4th Floor Conference Room

20090031 **Z2009-02 Lee Jaraysi 555 Commerce Avenue**

Z2009-02 (REZONING) LEE JARAYSI request rezoning for property located in Land Lot 578, 17th District, Parcel 0130, 2nd Section, Marietta, Cobb County, Georgia and being known as 555 Commerce Avenue from CRC (Community Retail Commercial) to CRC (Community Retail Commercial) with stipulations and variances. Ward 6.

Approved as Stipulated

Motion to approve the ordinance for the rezoning of property located at 555 Commerce Avenue from CRC (Community Retail Commercial) to CRC (Community Retail Commercial), as stipulated with the following additional stipulations:

- 1.) The site plan initialed by the applicant shall be incorporated as a condition of the rezoning.*
- 2.) The Nazareth building elevations initialed by the applicant and dated February 25, 2009 shall be incorporated as a condition of the rezoning.*
- 3.) The Nazareth building elevations shows the number of windows for the completed project; however, the round facade shown in the bottom right hand corner of the elevations shall not be included and shall be overwritten by the site plan.*

20090185 **Jaraysi vs. City of Marietta**

Motion to approve Settlement, Release, Covenant Not to Sue and Dismissal Agreement between Mr. Jaraysi (including his entities) and the City of Marietta, subject to the final approval of the City Manager and City Attorney.

Approved

20090191 **Five-percent (5%) rental restriction and limitation.**

Motion to authorize the waiver of Marietta's five-percent (5%) rental restriction and limitation provided that all of the following conditions have been met:

1. The waiver shall apply only to lease/purchase agreements and each lease/purchase agreement shall expire or the purchase be completed on or before the twenty-fourth (24th) month following the adoption of this motion.

2. The waiver shall apply only to condominiums and townhouses and shall not apply to single-family residential property.
3. The waiver shall apply to condominiums and townhouses which have completed construction and have a currently existing final certificate of occupancy on or before the date of the adoption of this motion.
4. This waiver shall be valid only for the properties which have been submitted to the Director of Development Services who shall review and approve or reject such request. The waiver shall apply only to those units receiving prior written approval as set forth herein.
5. This waiver shall expire fully and completely on the twenty-fourth (24th) month following the adoption of this motion.

Approved

Motion to authorize advertisement of a waiver of Marietta's five-percent (5%) rental restriction and limitations. The matter shall be placed on the Judicial/Legislative Committee agenda for a meeting to be held following the Committee of the Whole meeting on March 9, 2009. Further, the matter shall be heard at a Special Called City Council meeting to be held March 25 or 26, 2009.